IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 17530 of 2004

Between:

Mekala Hanumanta Rao, S/o. Subbaiah
R/o. H.No.6-2-99, Near Z.P. Quarters, Patabanda, Khammam.

..... PETITIONER

AND

1 The S.H.O., Khammam Urban P.S., Khammam.
2 Sri Sk.Lal Mohammad S/o.Kaza Miya, R/o. H.No.6-1-44,
Tummalagudem Bazar, Behind Mask, Khammam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ or direction preferably writ of Mandamus declaring the inaction of the respondent No.1 Police in taking appropriate action against the 2nd respondent and other third parties on the complaints given by the petitioner latest by 17.9.2004 is illegal, arbitrary and violative of principles of natural justice and consequently direct the respondent No.1 police to provide protection to the petitioner and his property on the basis of his representation/complaint dt. 17.9.2004.

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondent No.1: GP FOR HOME

Counsel for the Respondent No.2: None appeared

The Court at the stage of admission made the following :

ORDER:

This writ petition is filed seeking to declare the inaction of respondent No.1 in taking appropriate action against respondent No.2 and other third parties on the complaint/representation given by the petitioner on 17-9-2004, as illegal and arbitrary and consequently to direct respondent No.1 to provide protection to the petitioner and his property.

This court on 29-9-2004 granted interim order directing respondent No.1 to consider the representation of the petitioner, dated 17-9-2004 and pass appropriate orders in accordance with law. Though the learned Government Pleader for Home appearing for respondent No.1 obtained time for getting instructions, no counter-affidavit is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home appearing on behalf of respondent No.1.

Having regard to the facts and circumstances of the case and in view of the fact that the complaint/representation submitted by the petitioner is still pending consideration with respondent No.1, I deem it appropriate to direct respondent No.1 to consider the complaint/ representation dated 17-9-2004 submitted by the petitioner and take appropriate action thereon in accordance with law.

With the above direction, the writ petition is disposed of. No costs.

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N.V. RAMANA, J

Date: 26-4-2005

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The S.H.O., Khammam Urban P.S., Khammam.
2 Two CCs. to the Government Pleader for Home, High Court Buildings, A.P., Hyderabad (OUT).

3 Two CD copies